



City Council Meeting

Regular Session Minutes
Tuesday, November 12, 2019

I. CALL TO ORDER

A regular meeting of the City Council of the City of Liberty, Missouri was held in the Council Chambers at City Hall on November 12, 2019 with Mayor Lyndell Brenton presiding. Mayor Brenton called the meeting to order at 7:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Lyndell Brenton, who then led the pledge of allegiance.

III. ROLL CALL

Council Members Present: Paul Jenness, Ward I
Greg Duncan, Ward II
Kevin Graham and Jeff Watt, Ward III
Gene Gentrup, Ward IV

Council Members Absent: Harold Phillips, Ward I
Rae Moore, Ward II
Michael Hagan, Ward IV

Staff Present: Curt Wenson, City Administrator
Dan Estes, Assistant City Administrator/Finance Director
Vicki McClure, Assistant Finance Director
Katherine Sharp, Planning Director
John Mills, Interim Fire Chief
Wade Thomas, Interim IT Director
Shawna Funderburk, Asst. to the City Administrator
Andy Noll, Public Works Director
Donna Kay Taylor, Assistant Parks and Recreation Director
James Simpson, Police Chief
Karan Johnson, Economic & Business Dev. Manager
Janet Pittman, Deputy City Clerk

Public Present: Kellie Houx, Liberty Tribune
25 members of the public

IV. APPROVE MINUTES AND SUMMARIES

V. CITIZENS' PARTICIPATION - NONE

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

Mayor Brenton requested that the employee appointments be removed from the Consent Agenda for Council to vote on separately.

A. Appointment/Reappointment

1. Liberty Parks and Recreation Foundation
 - a. Appoint Maria Trout to a term expiring January 1, 2023

Council Member Jenness moved to approve the appointment. Council Member Graham seconded the motion, which carried unanimously.

B. Special Session Minutes of October 28, 2019

Council Member Jenness moved to approve the minutes as distributed. Council Member Graham seconded the motion, which carried unanimously.

C. Executive Session Minutes of October 28, 2019

Council Member Jenness moved to approve the minutes as distributed. Council Member Graham seconded the motion, which carried unanimously.

D. Regular Session Minutes of October 28, 2019

Council Member Jenness moved to approve the minutes as distributed. Council Member Graham seconded the motion, which carried unanimously.

E. Resolution granting a Certificate of Appropriateness for Exterior Improvements at 17 W. Kansas, Liberty Square Historic District (HDRC Case #19-015LS)

Action: Council Member Jenness moved to approve the resolution. Council Member Graham seconded the motion.

Vote: Motion passed 5-0-0
Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 3076

F. Motion to approve an increase to the purchase order for USIC Locating Services, Inc. for underground Locating Services for the City of Liberty underground infrastructure facilities in the amount of \$30,000.00

Action: Council Member Jenness moved to approve the purchase. Council Member Graham seconded the motion.

Vote: Motion passed 5-0-0
Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None

G. Motion to authorize payment to Fortiline Waterworks for \$68,533.20 for the purchase of construction materials for Clayview Water Main Improvements

Utilities Dept. staff have identified a section of existing 10” water main behind Scott Drive that has a history of breaks and is a candidate for future water service interruptions. This water main feeds the Nashua water tower. Staff recommends replacing this segment with a 12” water main beginning behind Scott Drive to N. Clayview Drive, and Camelot Drive along N. Clayview Drive to Nancy Lane. The construction materials purchase includes the water main, valves, hydrants and other materials necessary to construct the main.

Action: Council Member Jenness moved to approve the motion. Council Member Graham seconded the motion.

Vote: Motion passed 5-0-0
Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None

- H. Motion to authorize an Executive Session to be held in the Council Conference Room immediately following the Regular Session to discuss Real Estate Matters authorized by 610.021(2) RSMo; Contract Negotiations as authorized by 610.021(12)

Action: Council Member Jenness moved to approve the motion. Council Member Graham seconded the motion.

Vote: Motion passed 5-0-0
Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None

- I. Employee Appointments

- 1. Motion to approve the appointment of John Mills to Fire Chief

Council Member Graham moved to approve the appointment. Council Member Watt seconded the motion.

Vote: Motion passed 5-0-0
Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None

- 2. Motion to approve the appointment of Wade Thomas to the Director of IT Services

Council Member Watt moved to approve the appointment. Council Member Gentrup seconded the motion.

Vote: Motion passed 5-0-0
Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None

VIII. PUBLIC HEARINGS

- A. Ordinance adopting and approving the Amended Development Plan for the downtown Area Redevelopment Project (including Twenty-Sixth Amendment for the 17 W. Kansas Project) submitted by the Liberty municipal Redevelopment Corporation, reaffirming the finding that the Property within said Amended Development Plan is a Blighted Area in need of development and redevelopment as determined in Ordinance No. 9794 and Ordinance No. 10820, authorizing certain Tax Abatement within the Redevelopment Area described within the Amended Development Plan; authorizing Execution of a 353 Development Agreement for Implementation of the 17 W Kansas Redevelopment Project; and providing for Expiration of Development Rights

Document No. 8951 was read.

The cost of improvements that are included within the tax abatement request is \$47,751. The project qualifies for Level A-2 of abatement. Staff noted a correction, stating this will be paid off in six years not 10 years as noted in the summary (100% improvement abatement) and meets the requirement that 50% of the improvements must be exterior.

Mayor Brenton opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of the ordinance. Seeing no one wishing to speak, the Mayor closed the Public Hearing.

Action: Council Member Graham moved to waive the rules and consider the ordinance on first reading. Council Member Jenness seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member Graham moved to approve the ordinance. Council Member Gentrup seconded the motion.

Vote: Motion passed 5-0-0

Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11159.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance acknowledging vendor payments for the period of October 18, 2019 to November 1, 2019

Mayor Pro Tem Greg Duncan took over as Chair of the meeting.

Document No. 8952 was read.

Action: Council Member Gentrup moved to approve the ordinance. Council Member Jenness seconded the motion.

Roll Call

Vote: Motion passed 5-0-0
Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11160.

Mayor Brenton resumed as chair of the meeting.

- B. Ordinance granting a Utility Easement to Evergy metro, Inc. for construction of the new Liberty Animal Shelter located at 2801 Riverview Road

Document No. 8953 was read.

Action: Council Member Watt moved to waive the rules and consider the ordinance on first reading. Council Member Graham seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member Gentrup moved to approve the ordinance. Council Member Graham seconded the motion.

Vote: Motion passed 5-0-0
Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11161.

- C. Ordinance approving a Contract with J&M Displays for the Liberty Fest Fireworks Display located at Fountain Bluff Sports Complex in an amount not to exceed \$25,000.00

Document No. 8954 was read.

Action: Council Member Graham moved to waive the rules and consider the ordinance on first reading. Council Member Jenness seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member Watt moved to approve the ordinance. Council Member Gentrup seconded the motion.

Vote: Motion passed 5-0-0
Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11162.

- D. Ordinance approving a Covenant to maintain the Storm Water Management System for the Lillian Hills Development

Document No. 8955 was read.

Action: Council Member Gentrup moved to waive the rules and consider the ordinance on first reading. Council Member Watt seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member Gentrup moved to approve the ordinance. Council Member Jenness seconded the motion.

Vote: Motion passed 5-0-0

Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11163.

E. Intergovernmental Municipal Agreements

The agreements stipulate maintenance responsibilities for aesthetic paint coatings of traffic signals, sign posts, overhead signs and light poles constructed at I-35 & 152 Highway interchange and MO 291 and Kansas Street intersection.

1. Ordinance approving a Supplement to the Intergovernmental Municipal Agreement with the Missouri Highways and Transportation Commission for the Reconstruction of the I-35 and Route 152 Interchange

Document No. 8956 was read.

Action: Council Member Jenness moved to waive the rules and consider the ordinance on first reading. Council Member Graham seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member Watt moved to approve the ordinance. Council Member Gentrup seconded the motion.

Vote: Motion passed 5-0-0

Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11164.

2. Ordinance approving a Supplement to the Intergovernmental Municipal Agreement with the Missouri Highways and Transportation Commission for the Route 291 Intersection Improvement Project

Document No. 8957 was read.

Action: Council Member Watt moved to waive the rules and consider the ordinance on first reading. Council Member Gentrup seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member Graham moved to approve the ordinance. Council Member Jenness seconded the motion.

Vote: Motion passed 5-0-0
Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11165.

F. Ordinance approving an Agreement with Haren Companies for the Design and Remodel of the Police Locker Room in an amount not to exceed \$199,972.00

The project scope is to include adding larger lockers for increased equipment storage by officers, replacement of fixtures and refinishing walls/floor, repurpose of a closet to a shower facility.

Document No. 8958 was read.

Action: Council Member Jenness moved to waive the rules and consider the ordinance on first reading. Council Member Graham seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member Watt moved to approve the ordinance. Council Member Gentrup seconded the motion.

Vote: Motion passed 5-0-0
Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11166.

G. Ordinance approving a five year Purchase Agreement with Axon Enterprise, Inc. for purchase of 40 Tasers in an amount not to exceed \$66,990.00

The 'Taser 60' program allows departments to purchase tasers to be paid out over five years at an approximate 7% discount over an outright purchase, and includes a 5 year warranty and an extra device for coverage should a repair be needed.

Document No. 8959 was read.

Action: Council Member Watt moved to waive the rules and consider the ordinance on first reading. Council Member Gentrup seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member Watt moved to approve the ordinance. Council Member Gentrup seconded the motion.

Vote: Motion passed 5-0-0
Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup
No: None

Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11167.

H. Special Obligation Bonds

The Special Obligation Bond is in the amount of \$3,535,099 of which \$3,375,000 represents the bond par amount and \$160,099 the bond premium; and, a Taxable Special Obligation Bond in the amount of \$1,490,000. The combined total bond issuance is expected to be \$5,025,099. The total borrowing difference is \$47,974 higher and attributable to no premium on the Taxable Bond.

- 1. Motion to rescind Ordinance No. 11152, authorizing an amount not to exceed \$5,000,000 principal amount of Special Obligation Bonds Series 2019, of the City of Liberty, Missouri; and authorizing certain other documents and actions in connection therewith

Action: Council Member Graham moved to rescind Ordinance No. 11152. Council Member Watt seconded the motion.

Vote: Motion passed 5-0-0
Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None

- 2. Ordinance authorizing an amount not to exceed \$5,150,000 principal amount of Special Obligation Series 2019, of the Liberty, Missouri; and authorizing certain other documents and actions by the City

Document No. 8960 was read.

Action: Council Member Jenness moved to waive the rules and consider the ordinance on first reading. Council Member Graham seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member Gentrup moved to approve the ordinance. Council Member Watt seconded the motion.

Vote: Motion passed 5-0-0
Yes: Council Members Jenness, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11168.

X. OTHER BUSINESS

A. Special Purchase Sales Tax Budgets

Vicki McClure, Assistant Finance Director, stated that the revenue assumptions are reasonable and reconciled to past performance. The capital financing strategy is a blending of pay-as-you-go projects, lease purchase and long-term bonding. The goal

is to maintain \$1.0M for future opportunities/unknowns in infrastructure capital improvement projects.

Estimates for the period of 2020-2025:

Fund	Revenue	Outflow
Capital Improvement Plan	\$40.90M	\$40.94M
Eco/Devo Sales Tax Fund	\$15.91M	\$15.85M
Fire Sales Tax Fund	\$8.87M	\$9.184M
Park Sales Tax Fund	\$6.69M	\$6.68M

Staff noted that the Capital, Transportation, Fire and Parks Sales Tax Budgets would be presented to the Citizen Sales Tax Oversight Committee on November 14, 2019. The Economic Development Sales Tax Budget was found to meet voter intent by the Economic Development Board on November 8, 2019.

- XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR
- XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL
- XIII. ADJOURNMENT

The meeting adjourned at 7:50 p.m.

Mayor

Attest:

Deputy City Clerk